

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civil Action No. 19-0519

SAFEHOUSE, a Pennsylvania nonprofit
corporation;

JOSE BENITEZ, as President and
Treasurer of Safehouse,

Defendants.

SAFEHOUSE, a Pennsylvania nonprofit
corporation,

Counterclaim Plaintiff,

v.

UNITED STATES OF AMERICA,

Counterclaim Defendant,

and

U.S. DEPARTMENT OF JUSTICE;
MERRICK B. GARLAND, in his official
capacity as Attorney General of the United
States; and JACQUELINE C. ROMERO,
in her official capacity as U.S. Attorney
for the Eastern District of Pennsylvania

Third-Party Defendants.

STIPULATED SCHEDULING ORDER

WHEREAS, on February 7, 2022, when the parties appeared before the Court, they announced that discussions were underway to explore a possible amicable resolution of this matter. The discussions to date, addressing a novel and complex subject matter, have been and continue to be productive.

WHEREAS, on February 4, 2022, the Department of Justice publicly stated that it is “evaluating supervised consumption sites, including discussions with state and local regulators about appropriate guardrails for such sites, as part of an overall approach to harm reduction and public safety.”¹ Those discussions have continued, and the United States believes additional time is necessary to permit careful consideration of the government’s harm reduction and public safety goals.

ACCORDINGLY, IT IS HEREBY STIPULATED AND AGREED by and between the counsel for the parties as follows:

1. The parties request a status conference call with the Court the week of November 14, 2022.
2. The United States shall respond to Safehouse’s Amended Counterclaims for Declaratory and Injunctive Relief by December 4, 2022, by way of answer and/or appropriate Rule 12 motion.
3. Safehouse shall file any brief in opposition by December 22, 2022.
4. The United States shall file any reply by January 6, 2023.

¹ <https://thehill.com/policy/healthcare/593212-justice-department-to-evaluate-providing-safe-havens-for-drug-use>.

Respectfully submitted,

JACQUELINE C. ROMERO
United States Attorney

/s/ Gregory B. David
GREGORY B. DAVID
Assistant United States Attorney
Chief, Civil Division
615 Chestnut Street
Philadelphia, PA 19106
Attorneys for the United States

DLA PIPER LLP (US)

/s/Ilana H. Eisenstein
Ilana H. Eisenstein
ilana.eisenstein@dlapiper.com
Courtney G. Saleski
courtney.saleski@dlapiper.com
Ben C. Fabens-Lassen
ben.fabens-lassen@dlapiper.com
Megan E. Krebs
megan.krebs@dlapiper.com
One Liberty Place
1650 Market Street, Suite 5000
Philadelphia, Pennsylvania 19103-7300
Tel: 215.656.3300

AIDS LAW PROJECT OF
PENNSYLVANIA
Ronda B. Goldfein
goldfein@aidslawpa.org
Yolanda French Lollis
lolis@aidslawpa.org
Adrian M. Lowe
alowe@aidslawpa.org
Jacob M. Eden
eden@aidslawpa.org
1211 Chestnut Street, Suite 600
Philadelphia, Pennsylvania 19107
Tel: 215.587.9377

LAW OFFICE OF PETER GOLDBERGER
Peter Goldberger
50 Rittenhouse Place
Ardmore, Pennsylvania 19003
Tel: 610.649.8200
peter.goldberger@verizon.net

SETH F. KREIMER, ESQUIRE
Seth F. Kreimer
PA Bar No. 26102
3501 Sansom Street
Philadelphia, Pennsylvania 19104

Tel: 215.898.7447

skreimer@law.upenn.edu

Attorneys for Safehouse and Jose Benitez

Approved this 22nd day of September 2022.

/s / Gerald Austin McHugh
United States District Judge